



Tennessee Department of Environment and Conservation
Division of Water Pollution Control
Mining Section
3711 Middlebrook Pike
Knoxville, Tennessee 37921-6538
PHONE (865) 594-6035 FAX (865) 594-5253

Public Participation Opportunities

December 17, 2008

Public Notice M2008-25

Last Day to Submit Comments: January 22, 2009

The purpose of this notice is to advise the public of the following draft environmental permits and to solicit comments and information necessary to evaluate the potential impact of the proposed activities on human health and the environment.

Individual NPDES Permits

Coal-Correction of Mine Site Information

National Coal Corporation, Jordan Ridge Refuse Area, appeared on Public Notice M2008-26 for a meeting scheduled on Thursday, January 29, 2009. This notice referenced the wrong address and county. The correct mine site information follows:

Site Information

NPDES Permit TN0062961
Scott County
Smoky Junction Road
Smoky Junction 37756

Coal-Proposed Modification

Applicant	Kopper Glo Fuel, Inc.
Facility	Ben's Branch
NPDES Permit Number	TN0079286
County	Claiborne
Street Address	1197 Rock Creek Ridge Road
City	Clairfield
Zip	37715
Description of Activity	Underground coal mine
Receiving Stream	Tackett Creek
Effluent Description	Treated wastewater and stormwater
Facility Latitude	36°30'03"
Facility Longitude	83°55'04"
Permit Writer	DAT

Coal-Proposed Reissuance

Applicant	Mountainside Coal Company
Facility	Double Mountain Area 7
NPDES Permit Number	TN0072214
County	Claiborne
Street Address	Black Diamond Road
City	Clairfield
Zip	37715
Description of Activity	Reclamation
Receiving Streams	Spruce Lick and Straight Creek
Effluent Description	Treated wastewater and stormwater
Facility Latitude	36°31'25"
Facility Longitude	83°52'09"
Permit Writer	MES

Non-Coal Proposed Issuance

Applicant	Ole South Excavating
Facility	Evergreen Farms Borrow Area
NPDES Permit Number	TN0069264
County	Rutherford
Street Address	Perlino Drive
City	Murfreesboro
Zip	37128
Description of Activity	Limestone mining and processing
Receiving Stream	Puckett Creek
Effluent Description	Treated wastewater and stormwater
Facility Latitude	35°49'31"
Facility Longitude	86°27'51"
Permit Writer	KBG

Non-Coal Proposed Reissuance

Applicant	Marshall County Stone, LLC
Facility	Highway 99 Quarry
NPDES Permit Number	TN0079171
County	Marshall
Street Address	750 Highway 99
City	Lewisburg
Zip	37091
Description of Activity	Limestone mining and processing
Receiving Stream	Unnamed tributary to Duck River
Effluent Description	Treated wastewater and stormwater
Facility Latitude	35°37'22"
Facility Longitude	86°47'55"
Permit Writer	KBG

Non-Coal Proposed Termination

Applicant	Memphis Stone and Gravel Company
Facility	Deadfall Road Pit 3
NPDES Permit Number	TN0072036
County	Shelby
Street Address	8338 Deadfall Road
City	Arlington
Zip	38002
Description of Activity	Reclaimed sand and gravel mine
Receiving Streams	Unnamed tributaries to Crooked Creek Canal and West Beaver Creek Canal
Effluent Description	Treated wastewater and stormwater
Facility Latitude	35°21'15"
Facility Longitude	89°43'14"
Permit Writer	JPJ

TDEC is requesting public comment on these permit actions. Obtaining a broad range of facts and opinions on Agency actions is one of the best ways to ensure quality decisions. Persons wishing to comment on these proposed actions are invited to submit comments in writing to the Mining Section at the above letterhead address, Attn: Public Notice Coordinator, by fax (865) 594-5253 or by e-mail at Gary.Mullins@state.tn.us. Comments must be received by the end of comment period date (see page 1).

How to Request a Public Hearing:

Interested persons may request in writing that the Director of the Division of Water Pollution Control hold a public hearing on any application. The request must be filed within the comment period and must indicate the interest of the party filing it and the reasons why such a hearing is warranted. When there is significant public interest for a hearing, a hearing will be conducted according to *Rule 1200-4-5-.06 (12)* of the Division of Water Pollution Control. Public hearings will be announced through another public notice.

How the Department Will Proceed:

The Director of the Division of Water Pollution Control will determine the final permit action after considering comments submitted during the comment period, the hearing record, if any, and the requirements of the Federal and State acts and regulations.

To Obtain Permit Details:

Draft permits contain Antidegradation Determinations and Rationales that address information concerning the foundation for the Division's determinations. Copies of the application(s), draft permit(s), and supporting documentation are in the permit files maintained at the Mining Section's office located at the letterhead address. There is a nominal fee for copying. These files are available for public inspection during normal visiting hours. Please email Tina.E.Jones@state.tn.us or call (865) 594-5616 to schedule an appointment for the review(s).

List of Permit Writers

KBG	Kristen Gettelfinger	865-594-5545	Kristen.Gettelfinger@state.tn.us
JPJ	Jesse Jones	865-594-5543	Jesse.P.Jones@state.tn.us
GWM	Gary Mullins	865-594-5536	Gary.Mullins@state.tn.us
MRR	Micheal Robbins	865-594-5542	Micheal.Robbins@state.tn.us
MES	Michael Swanger	865-594-5585	Michael.Swanger@state.tn.us
SJT	Steven Turaski	865-594-5584	Steven.Turaski@state.tn.us
DAT	Dave Turner	865-594-5541	Dave.Turner@state.tn.us

State of Tennessee Antidegradation Policy

Tennessee's Antidegradation Statement is in Chapter 1200-4-3-.06 of the *Rules of the Tennessee Department of Environment and Conservation*. The primary purpose of the Antidegradation Policy is to establish a greater level of protection for high quality waters. Some high quality waters are in near-pristine condition. Others are determined to be high quality due to specialized uses and/or unique features.

Generally, there are two types of high quality waters. Outstanding National Resource Waters (ONRWs) receive the greatest level of protection. The Water Quality Control Board designates these waters. New discharges or expansion of existing discharges cannot degrade existing water quality.

The Department identifies other high quality waters known as Exceptional Tennessee Waters and protects against their degradation. The Department may allow some degradation if the Department deems it economically and socially necessary.

Non Exceptional Tennessee Waters refer to surface waters that do not have the identification and/or designation as high quality. These waters must achieve and maintain Tennessee's Water Quality Standards.

State of Tennessee Policy of Non-Discrimination

Pursuant to the State of Tennessee's policy of non-discrimination, the Tennessee Department of Environment and Conservation does not discriminate on the basis of race, sex, religion, color, national or ethnic origin, age, disability, or military service in its policies, or in the admission or access to, or treatment or employment in its programs, services or activities. Equal Employment Opportunity/Affirmative Action inquiries or complaints should be directed to the EEO/AA Coordinator, Office of General Counsel, 401 Church Street, 20th Floor, L & C Tower, Nashville, TN 37243, 1-888-867-7455. Americans with Disabilities Act (ADA) inquiries or complaints should be directed to the ADA Coordinator, Human Resources Division, 401 Church Street, 12th Floor, L & C Tower, Nashville, TN 37243, 1-866-253-5827. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).